## IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF SOUTH CAROLINA COLUMBIA DIVISION

Terry Maness, (a/k/a Terry W. Maness, Terry	) Civil Action Numbers
Wayne Maness, formerly SCDC# 121322),	) 3:06-382-HMH-BHH
Manual Ard (a/k/a Manual C. Ard), Rufus	3:06-671-HMH-BHH
Belding (a/k/a Rufus L. Belding), Jackie R.	3:06-673-HMH-BHH
Cantrell, Johnny Carrigg, Robert Cogdill,	) 3:06-674-HMH-BHH
	) 3:06-675-HMH-BHH
Frank D. Cooper, Sr. (a/k/a Frank G.	) 3:06-676-HMH-BHH
Cooper, Sr., a/k/a Frank Cooper), Kyle	3:06-677-HMH-BHH
Crisco, Randy Davenport, Michael Davis	3:06-678-HMH-BHH
(a/k/a Michael A. Davis, Sr.), Boyd Dean,	3:06-679-HMH-BHH
Joey Eggers, James Ettel, Timothy Farmer,	) 3:06-680-HMH-BHH
Charles Finley, Jonathan Francis (a/k/a	) 3:06-681-HMH-BHH
Jonathan C. Francis), Robert Glenn, Alden D.	) 3:06-682-HMH-BHH
Hiott (a/k/a Alden Hiott), Joseph W. Holder,	γ 3:06-683-HMH-BHH
James Hughes, William A. Johnson,	3:06-684-HMH-BHH
Raymond June, John F. Kennedy, Shaun	3:06-685-HMH-BHH
	) 3:06-686-HMH-BHH
Knox, Ernest Larch, Floyd D. Lipe, Charles	) 3:06-687-HMH-BHH
Maxfield, Herbert McCoy, Roger Dale McCoy	) 3:06-689-HMH-BHH
(a/k/a Roger D. McCoy), Keith McHugh,	3:06-691-HMH-BHH
Michael Miller, Kenneth Outen (a/k/a Kenneth	3:06-692-HMH-BHH
Outen, Sr.), David Lee Parker, Anthony	3:06-693-НМН-ВНН
Perrineau, Stephen Plough, Terry Potts,	) 3:06-694-HMH-BHH
James Price, James D. Reynolds, Daniel L.	) 3:06-695-HMH-BHH
Seay (a/k/a Daniel Leon Seay), Hubert	) 3:06-696-HMH-BHH
Spears (a/k/a Hubert Spires), James Tutt,	3:06-697-HMH-BHH
	3:06-698-HMH-BHH
Kenneth Whitcraft, and Barney Wilkins,	/ 3:06-699-HMH-BHH
	) 3:06-702-НМН-ВНН
Plaintiffs,	) 3:06-703-HMH-BHH
	) 3:06-704-HMH-BHH
VS.	3:06-705-HMH-BHH
	3:06-709-HMH-BHH
Mr. Jonathan Ozmint, Director, South	) 3:06-711-HMH-BHH
Carolina Department of Corrections;	) 3:06-712-HMH-BHH
Mr. Parker Evatt, Mr. Michael Moore, Mr.	) 3:06-713-HMH-BHH
	3:06-714-HMH-BHH
Frederick Dodge, Mr. Gary Maynard and Mr.	3:06-715-HMH-BHH
William D. Catoe, Ex-Directors, South	3:06-716-HMH-BHH
Carolina Department of Corrections,	3:06-719-НМН-ВНН
	) 3:06-722-HMH-BHH
Defendants.	) 3:06-723-HMH-BHH
	) 3:06-724-HMH-BHH
	3:06-725-HMH-BHH

## REPORT AND RECOMMENDATION OF MAGISTRATE JUDGE<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> The plaintiffs, with the exception of the lead plaintiff, are listed alphabetically by last name; Case numbers are listed chronologically.

These are forty-three (43) separate civil rights actions filed on February 6, 2006, by persons who are involuntarily confined through the Behavior Disorders Treatment Program operated by the South Carolina Department of Mental Health. The Court has previously designated a "lead case" for docket control purposes and has directed that the Complaint, which is identical in all 43 cases, be served on all defendants. [Doc. 12.] The plaintiffs have also been granted permission to serve and file one copy of any motion or pleading in the lead case for purposes of satisfying their responsibility to do so in all 43 cases. [Doc. 39.]

This matter is before the Court on the motion of one of the plaintiff's, Johnny Carrigg, to be dismissed from the case. The Court will treat it as a motion for voluntary dismissal pursuant to Fed. R. Civ. P. 41(a)(1), as the defendants have responded that they do not object to the dismissal of Plaintiff Carrigg.

## CONCLUSION

Wherefore, it is RECOMMENDED that Plaintiff Johnny Carrigg's Motion for voluntary dismissal [Doc.29] be GRANTED and the plaintiff's claims against the defendants of whatever kind be DISMISSED without prejudice.

IT IS SO ORDERED AND RECOMMENDED.

s/Bruce H. Hendricks United States Magistrate Judge

December 11, 2006 Greenville, South Carolina.